

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2021 OCT 20 PM 12:44
OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRED H. BIENKA,

Defendant.

4:21CR 3131

INDICTMENT
18 U.S.C. § 1349

The Grand Jury charges that

COUNT I – Mail and Wire Fraud Conspiracy

1. Beginning at least in or about 2016, and continuing to on or about April 13, 2021, in the District of Nebraska and elsewhere, defendant FRED H. BIENKA, and others unknown to the Grand Jury, did knowingly and willfully conspire and agree together to devise a scheme and artifice to defraud, obtaining money and property by means of materially false and fraudulent pretenses, representations and promises and by the omission of material facts, and in so doing, caused the United States Postal Service and other interstate carriers to be used and interstate wire communications to be made in furtherance of said scheme and artifice to defraud, in violation of Title 18, United States Code, Sections 1341 and 1343.

MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the scheme that the conspirators would contact individuals claiming the individual had won large prizes to include millions of dollars and new vehicles. Conspirators would then instruct the individual that to claim their prize, the individual had to send money via check or money order to certain third parties, including defendant FRED H. BIENKA. Conspirators then instructed the individual to send the money, check, or money order in the mail by United States Postal Service or other interstate carriers.

3. It was then part of the scheme that conspirators, including defendant FRED H. BIENKA would receive the money orders and checks by United States mail or by delivery from other interstate carriers. BIENKA would then deposit the money into bank accounts that had been set up as part of the scheme. As part of the scheme BIENKA mailed a debit card for the bank account to conspirators in foreign countries to allow them access to the funds. Once the money had been deposited, conspirators in foreign countries would withdraw these funds for their own personal use.

4. It was part of the scheme that the defendant FRED H. BIENKA and coconspirators did knowingly transmit and cause to be transmitted by means of wire communications in interstate commerce. As part of the scheme, FRED H. BIENKA and coconspirators communicated by text message and telephone across interstate and foreign lines. Additionally, as part of the scheme money was electronically transferred through the bank account across country lines.

5. As described above, it was part of the conspiracy that members would use the United States Postal Service and other interstate carriers to receive money from individuals who were being victimized, in furtherance of the scheme.


All in violation of Title 18, United States Code, Section 1349.

A TRUE BILL.

FOREPERSON

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.

By:



TESSIE L.S. SMITH, #25828

Assistant U.S. Attorney